IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

MONDAY, THE 18TH JUNE 2007 / 28TH JYAISHTA 1929

WP(C).No. 16537 of 2007(R)

PETITIONER:

N.C.JOSEPH, S/O.CHORRY, AGED 44 YEARS,
RESIDING AT DEUMPALIL HOUSE, EZHUPUNNA P.O.

BY ADV. SRI.LUIZ GODWIN D'COUTH

RESPONDENTS:

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1. ADDITIONAL DISTRICT MAGISTRATE,
ALAPPUZHA.

2. THE ASST.EXECUTIVE ENGINEER,
ELECTRICAL SUB DIVISION, K.S.E.B,
POOCHAKKAL.

3. THE ASSISTANT ENGINEER,
ELECTRICAL SECTION, AROOR.

4. N.S.NARAYANAN, NEDUMPULLYTHARA HOUSE,
EZHUPUNNA P.O., CHERTHALA.

BY ADV. SHRI.P.P.THAJUDEEN, SC

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 18/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

C.N.RAMACHANDRAN NAIR, J.

WP(C) No. 16537 of 2007

Dated, this the 18th day of June, 2007

J U D G M E N T

Heard learned counsel for the petitioner and the learned Standing Counsel appearing for KSEB. Petitioner is opposing the line drawn for giving connection to 4th respondent. Learned Standing Counsel submitted that line drawn is 32 metres of weather proof line. Normally, there is no scope for interference because weather proof line is insulated and benign. Petitioner's case for drawing line in the route is not acceptable because it involves drawal of longer overhead cable. This WP(C) is, therefore, closed leaving freedom to the petitioner to ask for shifting, if any electric line later comes closer to the beneficiary. Similarly if petitioner wants to construct a building, the Board shall at that time maintain sufficient clearance of the weather proof line from the building.

(C.N.RAMACHANDRAN NAIR, JUDGE.)

jg